

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kosbach

Group Art Unit: Unassigned

Application No. Unassigned

Examiner: Unassigned

Filed: October 7, 2003

For: SOFT-FOCUS COSMETIC COMPOSITION
COMPRISING FUMED ALUMINA

INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ **within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date

of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

- ☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:

☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).

or

☐ the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).

- ☐ **after** the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

- ☐ **after** the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

Copies of the References

- ☒ Copies of the references listed on the enclosed Form 1449 are enclosed herewith. Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).

- ☐ A copy of the foreign search report is enclosed herewith.

- ☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

In re Appln. of Kosbach
Application No. Unassigned

U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

Statement under 37 CFR 1.97(e)

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR 1.704(d)

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees

- ☒ No fee is owed by the applicant(s).
- ☐ The **IDS Fee of \$180** under 37 CFR 1.17(p) is enclosed herewith.

Method of Payment of Fees

- ☐ Attached is a check in the amount of \$.
- ☐ Charge Deposit Account No. 12-1216 in the amount of \$. (A duplicate copy of this communication is enclosed for that purpose.)

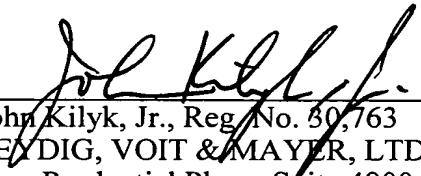
Authorization to Charge Additional Fees

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

In re Appln. of Kosbach
Application No. Unassigned


Instructions as to Overpayment

- ☒ Credit Account No. 12-1216.
☐ Refund



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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known		
				Application Number	Unassigned	
				Filing Date	October 7, 2003	
				First Named Inventor	Kosbach, Laurent	
				Group Art Unit	Unassigned	
				Examiner Name	Unassigned	
Sheet	1	of	2	Attorney Docket Number	03092	
U.S. PATENT DOCUMENTS						
Examiner Initials	Doc. No.	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate
		Application or Patent Number	Kind Code			
	AA	4,536,399		Flynn et al.	Aug. 20, 1985	
	AB	4,659,562		Arraudeau et al.	Apr. 21, 1987	
	AC	4,820,510		Arraudeau et al.	Apr. 11, 1989	
	AD	4,842,848		Saita et al.	June 27, 1989	
	AE	4,954,532		Elliott et al.	Sep. 4, 1990	
	AF	5,082,660		Ounanian	Jan. 21, 1992	
	AG	5,171,572		Suganuma	Dec. 15, 1992	
	AH	5,223,559		Arraudeau et al.	June 29, 1993	
	AI	5,288,481		Ounanian et al.	Feb. 22, 1994	
	AJ	5,320,834		Ounanian et al.	June 14, 1994	
	AK	5,587,170		Caisey et al.	Dec. 24, 1996	
	AL	5,830,485		Gueret et al.	Nov. 3, 1998	
	AM	5,904,918		Sterphone et al.	May 18, 1999	
	AN	5,967,964		Hattori et al.	Oct. 19, 1999	
	AO	5,972,359		Sine et al.	Oct. 26, 1999	
	AP	5,997,887		Ha et al.	Dec. 7, 1999	
	AQ	5,997,890		Sine et al.	Dec. 7, 1999	
	AR	6,001,373		Igo-Kemenes et al.	Dec. 14, 1999	
	AS	6,001,377		SaNogueira, Jr. et al.	Dec. 14, 1999	
	AT	6,027,738		Stepniewski et al.	Feb. 22, 2000	
	AU	6,068,769		Iio et al.	May 30, 2000	
	AV	6,083,491		Mellul et al.	July 4, 2000	
	AW	6,086,924		Sheridan	July 11, 2000	
	AX	6,174,533		Painter et al.	Sep. 12, 2000	
	AY	6,123,951		Gueret et al.	Sep. 26, 2000	
	AZ	6,174,533		SaNogueira, Jr. et al.	Jan. 16, 2001	
	BA	6,180,124		Ohta et al.	Jan. 30, 2001	
	BB	6,207,174		Hineno	Mar. 27, 2001	
	BC	6,228,377		Sebillotte-Arnaud	May 8, 2001	
	BD	6,290,941		Lahanas et al.	Sep. 18, 2001	
	BE	6,333,053		Gueret et al.	Dec. 25, 2001	
	BF	6,355,260		Tanaka et al.	Mar. 12, 2002	
	BG	6,432,535		Noguchi et al.	Aug. 13, 2002	
	BH	6,482,419		Miyazaki et al.	Nov. 19, 2002	
	BI	6,511,536		Noguchi et al.	Jan. 28, 2003	
	BJ	6,511,672		Tan et al.	Jan. 28, 2003	
	BK	6,551,604		Beck et al.	Apr. 22, 2003	
	BL	6,562,323		Miyazaki et al.	May 13, 2003	
	BM	6,586,013		Victor	July 1, 2003	
	BN	6,613,359		Victor	Sep. 2, 2003	
	BO	20010007677	A1	Nagatani et al.	July 12, 2001	Dec. 18, 2000
Examiner Signature				Date Considered		

* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

+ An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).

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				Application Number	Unassigned
				Filing Date	October 7, 2003
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				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	2	of	2	Attorney Docket Number	03092

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Examiner Initials	Doc. No.	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate
		Application or Patent Number	Kind Code			
	B P	20010043910	A1	Fukuda et al.	Nov. 22, 2001	Apr. 16, 2001
	B Q	20020011186	A1	Tanaka et al.	Jan. 31, 2002	Mar. 28, 2001
	B R	20020018760	A1	Vatter et al.	Feb. 14, 2002	July 10, 2001
	B S	20020064509	A1	Grimm et al.	May 30, 2002	Oct. 3, 2001
	B T	20020086039	A1	Lee et al.	July 4, 2002	Mar. 27, 2001
	B U	20020182155	A1	SenGupta et al.	Dec. 5, 2002	Feb. 5, 2002
	B V	20020187173	A1	L'Alloret et al.	Dec. 12, 2002	Mar. 13, 2002
	B W	20030007985	A1	Chevalier et al.	Jan. 9, 2003	Apr. 5, 2002
	B X	20030012752	A1	Bara	Jan. 16, 2003	Aug. 9, 2002
	B Y	20030031692	A1	Jager Lezer	Feb. 12, 2003	July 22, 2002
	B Z	20030035883	A1	Nishikata et al.	Feb. 20, 2003	Mar. 17, 1999
	C A	20030072780	A1	Ionita-Manzatu et al.	Apr. 17, 2003	July 23, 2002
	C B	20030082123	A1	Anselmann et al.	May 1, 2003	Nov. 13, 2002
	C C	20030082125	A1	Grimm	May 1, 2003	Sep. 10, 2002
	C D	20030108580	A1	Hasenzahl et al.	June 12, 2003	Oct. 29, 2002
	C E	20030147819	A1	Watanabe	Aug. 7, 2003	Jan. 22, 2003
	C F	20030157041	A1	Drher	Aug. 21, 2003	Jan. 13, 2000

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Doc. No.	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	Translation	
		Office	Application or Patent Number	Kind Code			Yes	No**
	C G	EP	0679382	A1	Nakanishi	Nov. 2, 1995		
	C H	EP	0704502	B1	Mori et al.	June 3, 1998		
	C I	EP	1083151	B1	Plambach-Fischer et al.	Jan. 23, 2002	Claims	
	C J	EP	1291377	A1	Sakuta	Mar. 12, 2003		
	C K	JP	60054914	A2	Ryota et al.	Mar. 29, 1985		N ⁺
	C L	JP	2002-128629	A2	Hagiwara et al.	Dec. 23, 2000		N ⁺
	C M	JP	04-198124	A2	Yoneyama et al.	Nov. 29, 1990		N ⁺
	C N	JP	61-174103	A2	Sato et al.	Jan. 23, 1985		N ⁺
	C O	JP	61-072709	A2	Ide et al.	Sep. 17, 1984		N ⁺

OTHER - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.		
	C P	EMMERT, Cosmetics and Toiletries (1996), pp. 57-61		
	C Q	NAKAMURA et al., Preprints of the XIVth I.F.S.C.C. Congress, Barcelona, Spain (1986), vol. 1, pp. 51-63.		
Examiner Signature		Date Considered		

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